

REMARKS

Applicants gratefully acknowledge the courtesy of a personal interview granted to the Applicants Roby, Klassen and Holton, and to the undersigned Applicants' representative, on July 27, 2005.

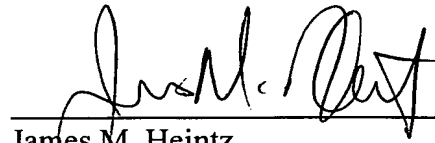
Claims 1-34 have been cancelled without prejudice to the underlying subject matter of these claims. Applicants reserve the right to pursue this subject matter in this or any other application.

New Claims 35-56 are pending in the application. Applicants respectfully submit that these claims are patentably distinct over the art of record in this case. Applicants note that none of the cited prior art discloses the step of "setting an amplitude threshold, the amplitude threshold being a function of the maximum peak amplitude" as recited in Claims 35 and 42. Applicants further note that the step of "in the absence of a possibility that an audible alarm is active, delaying a period of time and repeating the examining step" in Claim 49 (which allows the device to conserve power; thereby extending the battery life) is not disclosed in the cited references. In particular, the Blunt reference cited in the first Office Action teaches a "continuously comparing" step (see, e.g., abstract, line 5; col. 1, lines 61-63; col. 3, lines 6-22).

In light of the above, Applicants submit that this application is now in condition for allowance and therefore request favorable consideration. If any issues remain which the Examiner feels may be best resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact Applicants counsel, James M. Heintz at (202) 861-4167.

Respectfully submitted,

DLA PIPER RUDNICK GRAY CARY US LLP

A handwritten signature in black ink, appearing to read 'James M. Heintz', is written over a horizontal line.

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